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Remarks

Claims 1-19 remain in the application with Claims 1 and 14 being in independent form. Claims 1, 10, and 11 are being amended. Claim 20 was previously canceled.

Claims 1 and 9 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Yamamoto et al. (U.S. Patent No. 6,082,443). Claims 2-8 and 10-13 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims. Claims 14-19 are allowed.

Applicant thanks the Examiner for the allowance of Claims 2-8 and 10-13. In accordance with this allowance, Applicant has amended independent Claim 1 to include all of the substantive limitations of allowed dependent Claims 10 and 11. Claim 1 is therefore believed allowable. Claims 2-8 and 10-13 are also believed allowable as these claims depend from the unique features of independent Claim 1.

Aside from the above, Applicant continues to disagree with the anticipation rejection of Claim 1 and believes that independent Claim 1 as originally filed is allowable. However, to expedite an allowance of the subject application, Applicant has amended the application as set forth above.

Applicant notes the procedures regarding an amendment filed under §116, which state that an amendment after final rejection may be made canceling claims or complying with any requirement of form expressly set forth in a previous Office Action. Also, an amendment placing the application in condition for allowance, by for example accepting allowed claims, may be admitted. As stated at MPEP Section 714.13, the proposed amendment should be given sufficient consideration to determine whether the claims are in condition for allowance.

In summary, it is respectfully requested that this §116 amendment be admitted because the applicant is merely accepting the allowed claims from the previous Office Action and there are no new issues being presented. To that end, it is respectfully submitted that the Application is now presented in condition for allowance, which allowance is respectfully solicited.

The remaining references cited but not applied to the claims have been considered.

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Since the Examiner has apparently considered these references as less pertinent than the above discussed reference(s), further discussion of the non-applied references, at this time, is considered unnecessary. However, it is respectfully submitted that the claims in the subject patent application patentably define over all references of record either independently or in combination.

The Commissioner is authorized to charge our Deposit Account No. 08-2789 for any additional fees or credit the account for any overpayment.

Respectfully submitted,

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